

ORDINANCE NO. 09-337

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING CHAPTER 9.12 OF THE LOS ALTOS MUNICIPAL CODE PERTAINING TO ROADWAY SOLICITATION**

WHEREAS, the activity of soliciting while on a median strip from occupants of vehicles distracts drivers from their primary duty to watch traffic, bicyclists, pedestrians and potential hazards in the road, observe all traffic control signals or warning and prepare to move with the flow of traffic through the City's streets and intersections; and

WHEREAS, distracted drivers are more prone to automobile accidents, and accidents on the public streets constitute a substantial public safety concern; and

WHEREAS, people engaging in solicitation from the median strip impede the orderly flow of traffic, is unsafe for the person engaging in the solicitation, bicycle and pedestrian traffic, and the traffic generally; and

WHEREAS, the City Council finds that it is the intent of this Ordinance to protect the rights of its residents by establishing the least restrictive and most reasonable manner of regulation of roadway solicitation; and

WHEREAS, adopting laws which protect the safety and security of the residents of the City of Los Altos while in their vehicles is of great importance to the City Council and is within the police power of the City; and

WHEREAS, the ordinance amendments set forth below have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), and the guidelines promulgated thereunder and, further, said Council finds that it can be seen with certainty that there is no possibility that said amendments may have a significant effect on the environment and said amendments are therefore exempt from the requirements of the CEQA pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations.

The City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:** Section 9.12.10 of Chapter 9.12 entitled "Definitions" is hereby amended to add a new definition to read as follows:

"Median strip" shall mean a paved or planted strip of ground dividing a roadway into lanes according to the direction of travel."

**SECTION 2. AMENDMENT OF CODE:** Section 9.12.10 of Chapter 9.12 entitled "Definitions" is hereby amended to add a new definition to read as follows:

"Roadway" shall also include median strip."

**SECTION 3. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 4. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

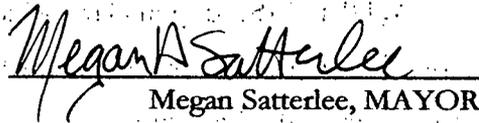
**SECTION 5. EFFECTIVE DATE.** This ordinance shall become effective upon the commencement of the thirty-first day following the date the adopted ordinance is attested by the City Clerk.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on July 28, 2009 and was thereafter, at a regular meeting held on August 11, 2009 passed and adopted by the following vote:

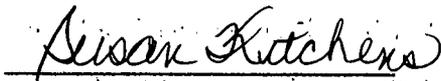
**AYES:** PACKARD, CARPENTER, CASAS, BECKER, SATTERLEE

**NOES:** NONE

**ABSENT:** NONE

  
Megan Satterlee, MAYOR

Attest:

  
Susan Kitchens, CITY CLERK

Date: August 12, 2009